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ABBE DAVID LOWELL

September 6, 2023

VIA ECF

Hon. John G. Koeltl
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

APPLICATION GRANTED
SO ORDERED


9/7/23. John G. Koeltl, U.S.D.J.

Re: *Banco San Juan Internacional, Inc. v. the Federal Reserve Bank of New York and the Board of Governors of the Federal Reserve System, No. 1:23-cv-6414 (JGK)*

Dear Judge Koeltl:

Counsel for Plaintiff Banco San Juan Internacional, Inc. (“BSJI”) writes pursuant to Section VI.2 of the Court’s Individual Practices to request leave to file under seal certain information in support of BSJI’s brief in further support of its motion for a preliminary injunction, filed September 6, 2023 (“Reply Brief”). The parties have conferred and Defendants do not object to this motion.

In particular, BSJI seeks permission to file the following documents under seal or with appropriate redactions: (1) Reply Brief, (2) Exhibits A and B to Declaration of Abbe D. Lowell in Support of Plaintiff’s Reply Brief, (3) Supplemental Declaration of Hector J. Vazquez and accompanying Exhibits A-G, (4) Second Supplemental Declaration of Christopher Laursen and accompanying Exhibits A and B, and (5) Exhibit A to AML RightSource Independent Review Audit Report Attestation.

These materials contain non-public, commercial information about BSJI, including recent financial data, information about its compliance program, references to supervisory information, information specific to BSJI’s customers and customer transaction activity, and information from or shared with BSJI’s Supervisor, the Office of the Commissioner of Financial Institutions of Puerto Rico (“OCIF”). Courts enjoy broad discretion in sealing documents upon a showing of good cause. *See, e.g., Geller v. Branick Int’l Realty Corp.*, 212 F.3d 734, 738 (2d Cir. 2000).

At the outset of this matter, before it was assigned to Your Honor, the Honorable Judge Loretta Preska found good cause existed to keep these types of materials under seal and BSJI received permission to redact or file under seal highly sensitive, confidential information concerning BSJI’s operations, clients, and interactions with its regulator. On July 24, 2023, Judge Preska found that, “the bank secrecy laws of Puerto Rico prohibit disclosure of confidential BSJI customer account information” and that “Second Circuit precedent protects BSJI customers’

Hon. John G. Koeltl
September 6, 2023
3

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cc: Counsel for All Parties (via ECF)